

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Panchayat Raj & Rural Development Department - Sri Y.Sagareswara Rao, Retired Additional Commissioner O/O CPR&RE – Regularize the suspension period from 7.05.2001 to 30.11.2003 as "**On Duty**" for all purposes including for the purpose of pay and allowances and the arrears of salary for this period shall be worked out and released – Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT(Vig.III) DEPARTMENT

G.O.RT.No. 954.

Dated:31.10.2014
Read the following:

- Ref:1.G.O.Rt.No.747, PR&RD(Vig.III) Department,
dt.10.07.2014.
2.From the contempt petition nos.327-328 of 2014 in
SLP (C) Nos.34970-34971 of 2013 filed by Sri
Y.Sagareswara Rao.
3.G.O.Rt.No.896, PR&RD (Vig.III) Dept., dt.27.09.2014.
4. From the Hon'ble Supreme Court of India, Judgment
dated.9.10.2014 contempt petition nos.327-328 of
2014 in SLP (C) Nos.34970-34971 of 2013

ORDER:

In the G.O.1st read above, Government have sanctioned pension and pensionery benefits including gratuity along with interest @ 9% from July 2011 to Sri Y.Sagareswara Rao, Retd. Additional Commissioner, PR, O/o CPR & RE as per the judgment of the Supreme Court of India dt.6.05.2014 in SLP © Nos.34970-34971 of 2013 and also ordered to treat the suspension period from 7.5.2001 to 30.11.2003 as **Not on Duty** under proviso to 54 B (7). The operative portion of the Judgment of Apex Court is as follows:

"to release the pension of the petitioner let the pension be released to the petitioner with interest @ 9% from 1st July 2011. The Special Leave Petitions are, accordingly, disposed of. We make it clear that the issue with regard to the power and jurisdiction of Lokayukta is kept open"

2 . Aggrieved by the said Government orders, Sri Y.Sagareswara Rao, Retired Additional Commissioner O/o Commissioner of Panchayat Raj & Rural Employment, Hyderabad has filed the contempt petition Nos.327-328 of 2014 in SLP (C)Nos.34970-34971 of 2013 before the Hon'ble Supreme Court with a prayer to direct the State Govt., to regularize the suspension period from 7.05.2001 to 30.11.2003 as **On Duty**.

3. In the reference 3rd read above, Govt., have issued orders treated **Not on duty** Period from 07.05.2001 to 30.11.2003 as E.O.L., after exhaustion of all available leave and to count for the purpose of Notional Increments and Pension in respect of Sri Y.Sagareswara Rao, Retd. Addl. Commissioner, PR, O/o Commissioner of Panchayat Raj & Rural Employment, Hyderabad interms of the provisions of G.O.Ms.No.307, Finance (FR.II) Department, dt.03.12.2012.

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4. In the reference 4th read above, the Hon'ble Supreme Court of India, in its judgment dated 09.10.2014 in Contempt Petitions filed by Sri Y.Sagareswara Rao, has directed the respondents to treat the suspension period from 07.05.2001 to 30.11.2003 as "**on duty**" for all purposes including for the purpose of pay and allowance and the arrears of salary for this period shall be worked out and released to Sri Y.Sagareswara Rao, Additional Commissioner (Retd.,) O/o Commissioner of PR & RE, Hyderabad.

5. After careful examination of the matter and keeping in view of the Judgment of the Hon'ble Supreme Court of India dated.9.10.2014 contempt petition Nos.327-328 of 2014 in Special Leave Petition (C)Nos.34970-34971 of 2013 filed by Sri Y.Sagareswara Rao, Retd., Additional Commissioner, Government in supersession of the order issued earlier vide 3rd read above, hereby order to treat the suspension period from 07.05.2001 to 30.11.2003 **as "on duty"** for all purposes including for the purpose of pay and allowance and the arrears of salary for this period shall be worked out and release to Sri Y.Sagareswara Rao, Additional Commissioner (Retd) O/o Commissioner of Panchayat Raj & Rural Employment, Hyderabad.

6 . The Commissioner Panchayat Raj & Rural Employment, Hyderabad/District Collector, Vizianagaram shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**Dr.K.S.JAWAHAR REDDY,
SECRETARY TO GOVERNMENT (PR)**

To

The Commissioner, Panchayat Raj & Rural Employment, Hyderabad.

The **Individual through** Commissioner, Panchayat Raj & Rural Employment, Hyderabad.

The District Collector, Vizinagaram District.

Copy to:

The Accountant General , Andhra Pradesh, Hyderabad

The Hon'ble Supreme Court of India

The Hon'ble Andhra Pradesh, Administrative Tribunal

The Hon'ble High Court of Judicature at Hyderabad for the State of Andhra Pradesh and Telangana.

The Hon'ble Lokayuktha, Andhra Pradesh, Hyderabad

The Secretary, A.P. Vigilance Commission, Hyderabad.

The Finance (HR.IV /Pension.II) Department, A.P. Secretariat, Hyderabad

The Law Department, A.P. Secretariat, Hyderabad.

The P.S. to Hon'ble Minister (PR&RWS)

The P.S. to Secretary (PR)

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//FORWARDED::BY ORDER//

SECTION OFFICER